

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

-----

**EIGHTH LEGISLATIVE DAY  
MONDAY, JANUARY 14, 2008**

Senate Chamber

At the request of President Pro Tempore Geddes, Senator Darrington called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Gannon, absent and formally excused by the Chair.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Travis Nicholson, Page.

The Senate advanced to the Third Order of Business.

### **Reading and Correction of the Journal**

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 11 , 2008, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### **Reports of Standing Committees**

January 14, 2008

The JUDICIARY AND RULES Committee reports that **S 1250, S 1251, S 1252, S 1253, S 1254, S 1255, S 1256, S 1257, S 1258,** and **S 1259** have been correctly printed.

DARRINGTON, Chairman

**S 1250, S 1251, S 1252, S 1253, S 1254, S 1255, S 1256,** and **S 1257** were referred to the Commerce and Human Resources Committee.

**S 1258** was referred to the State Affairs Committee.

**S 1259** was referred to the Transportation Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### **Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials**

#### **S 1260**

#### **BY JUDICIARY AND RULES COMMITTEE**

#### **AN ACT**

RELATING TO EXHIBITIONS OF DOGFIGHTS; AMENDING SECTION 25-3507, IDAHO CODE, TO PROVIDE THAT PERSONS WHO KNOWINGLY OR INTENTIONALLY PARTICIPATE IN CERTAIN ACTIVITIES RELATED TO DOGFIGHTING EXHIBITIONS SHALL BE GUILTY OF A FELONY AND TO EXEMPT FROM APPLICATION CERTAIN ACTIVITIES.

#### **S 1261**

#### **BY JUDICIARY AND RULES COMMITTEE**

#### **AN ACT**

RELATING TO MEDIATION; AMENDING TITLE 9, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 8, TITLE 9, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE SCOPE OF THE CHAPTER, TO PROVIDE FOR A PRIVILEGE AGAINST DISCLOSURE, TO PROVIDE FOR A LIMITATION OF THE PRIVILEGE, TO PROVIDE FOR THE WAIVER AND PRECLUSION OF THE PRIVILEGE, TO PROVIDE FOR EXCEPTIONS TO THE PRIVILEGE, TO PROVIDE FOR PROHIBITION ON MEDIATOR REPORTS, TO PROVIDE WHAT A MEDIATOR MAY DISCLOSE, TO PROVIDE A PROHIBITION ON USE OF IMPROPERLY DISCLOSED COMMUNICATIONS REGARDING A MEDIATION, TO PROVIDE FOR CONFIDENTIALITY, TO PROVIDE FOR INQUIRY AND DISCLOSURE OF A MEDIATOR'S CONFLICTS OF INTEREST, TO PROVIDE CONSEQUENCES FOR NONDISCLOSURE, TO PROVIDE NO SPECIAL QUALIFICATIONS FOR A MEDIATOR, TO PROVIDE FOR WHO MAY PARTICIPATE IN A MEDIATION AND FOR RESCISSION OF WAIVER OF PARTICIPATION, TO DEFINE A TERM, TO PROVIDE FOR APPLICATION OF THE MODEL LAW ON INTERNATIONAL COMMERCIAL CONCILIATION, TO PROVIDE FOR RELATION TO THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT, TO PROVIDE FOR UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE APPLICATION TO EXISTING AGREEMENTS OR REFERRALS; AND PROVIDING FOR SEVERABILITY.

#### **S 1262**

#### **BY JUDICIARY AND RULES COMMITTEE**

#### **AN ACT**

RELATING TO THE IDAHO ENTITY TRANSACTION ACT; REPEALING SECTION 30-1-901, IDAHO CODE, RELATING TO EXCLUDED TRANSACTIONS, SECTION 30-1-902, IDAHO CODE, RELATING TO REQUIRED APPROVALS, SECTION 30-1-920, IDAHO CODE, RELATING TO

DOMESTICATIONS, SECTION 30-1-922, IDAHO CODE, RELATING TO ARTICLES OF DOMESTICATION AND SECTION 30-1-924, IDAHO CODE, RELATING TO EFFECT OF DOMESTICATION; AMENDING SECTION 30-18-102, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE NEW TERMS; AMENDING SECTION 30-18-104, IDAHO CODE, TO PROVIDE FOR THE REQUIRED NOTICE FOR AN INTEREST EXCHANGE, CONVERSION OR DOMESTICATION, TO REMOVE REFERENCES TO THE COMMON LAW AND SPECIFIC STATUTES AND TO PROVIDE FOR OBTAINING AN APPROPRIATE ORDER OF THE ATTORNEY GENERAL FOR CERTAIN TRANSACTIONS; AMENDING SECTION 30-18-109, IDAHO CODE, TO REMOVE A PROVISION FOR APPRAISAL RIGHTS FOR CORPORATION SHAREHOLDERS AND TO PROVIDE FOR APPRAISAL RIGHTS; AMENDING SECTION 30-18-203, IDAHO CODE, TO REVISE PROCEDURE FOR APPROVAL OF A PLAN OF MERGER; AMENDING SECTION 30-18-205, IDAHO CODE, TO PROVIDE AN ADDITIONAL REQUIREMENT TO BE CONTAINED IN A STATEMENT OF MERGER; AMENDING SECTION 30-18-206, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE THE EFFECT OF A MERGER; AMENDING SECTION 30-18-303, IDAHO CODE, TO REVISE THE PROCEDURE FOR APPROVAL OF A PLAN OF INTEREST EXCHANGE; AMENDING SECTION 30-18-306, IDAHO CODE, TO REVISE THE EFFECT OF AN INTEREST EXCHANGE; AMENDING SECTION 30-18-403, IDAHO CODE, TO REVISE THE PROCEDURE FOR APPROVAL OF A PLAN OF CONVERSION; AMENDING SECTION 30-18-405, IDAHO CODE, TO PROVIDE AN ADDITIONAL REQUIREMENT TO BE CONTAINED IN A STATEMENT OF CONVERSION; AMENDING SECTION 30-18-406, IDAHO CODE, TO REVISE THE EFFECT OF A CONVERSION; AMENDING SECTION 30-18-503, IDAHO CODE, TO REVISE THE PROCEDURE FOR APPROVAL OF A PLAN OF DOMESTICATION; AMENDING SECTION 30-18-505, IDAHO CODE, TO PROVIDE AN ADDITIONAL REQUIREMENT TO BE CONTAINED IN A STATEMENT OF DOMESTICATION; AMENDING SECTION 30-18-506, IDAHO CODE, TO REVISE THE EFFECT OF A DOMESTICATION AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 30-18-702, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS.

### **S 1263**

#### **BY JUDICIARY AND RULES COMMITTEE**

##### **AN ACT**

RELATING TO CHILDREN; AMENDING TITLE 32, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 32, IDAHO CODE, TO PROVIDE FOR THE UNIFORM CHILD ABDUCTION PREVENTION ACT, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR COOPERATION AND COMMUNICATION AMONG COURTS, TO PROVIDE ACTIONS FOR ABDUCTION PREVENTION MEASURES, TO PROVIDE FOR JURISDICTION, TO PROVIDE FOR THE CONTENTS OF A PETITION, TO PROVIDE FACTORS AND EVIDENCE TO BE CONSIDERED

BY THE COURT, TO PROVIDE FOR PROVISIONS AND MEASURES TO PREVENT ABDUCTION, TO PROVIDE FOR AN EX PARTE WARRANT TO TAKE PHYSICAL CUSTODY OF A CHILD, TO PROVIDE FOR THE DURATION OF AN ABDUCTION PREVENTION ORDER, TO PROVIDE FOR THE UNIFORMITY OF APPLICATION OF THE UNIFORM ACT AND TO PROVIDE RELATION TO THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT.

**S 1260, S 1261, S 1262, and S 1263** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:40 a.m. until the hour of 11:30 a.m., Tuesday, January 15, 2008.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary